

Topic/Citation	CRC Discussion, Staff Recommendation, and Public Comment		Status
A. Tree Preservation			
<p>A.1. The proposed code should have incentives for retaining more than 35% of the healthy trees.</p> <p>Applicable section:</p> <p>Raised by: McCormick</p>	<p><u>CRC 3/1</u>: Members expressed a desire to see the code provision for incentives remain in the code.</p> <p><u>CRC 4/19</u>: Members modified staff’s proposal by striking the requirement that condition that the lot must have 50% of the lot covered by trees in order to qualify for an incentive and replacing it with a requirement that the lot must have 10 or more healthy significant trees per acre.</p>	<p><u>Staff Response 3/1</u>: Staff proposed the removal of the incentive provisions as they have only been used once and were written broadly resulting in code that would be difficult to implement.</p> <p><u>Staff Response 4/5</u>: Staff has modified the code (Section 060(5)) to include a program that provides an incentive for saving more than 35% of the trees. This is taken from the Administrative Design Flexibility code provisions found in existing code.</p>	<p>Opened 3/1/2010</p> <p>Draft accepted 4/19/2010</p>
<p>A.2. What is the definition of d.b.h.?</p> <p>Applicable section:</p> <p>Raised by: Nolen</p>	<p><u>CRC 3/1</u>: Commissioner Nolen requested that the code either drop the reference to d.b.h and use 4.5 feet or provide a clear definition for d.b.h.</p> <p><u>CRC 3/22</u>: Commissioner McCormick requested that staff include an explanation of d.b.h. into the body of the code. Additionally, Commissioner Pantley requested that the definition of where d.b.h. is measured from be changed from “average grade”</p>	<p><u>Staff Response 3/15</u>: Definitions maybe repeated as there are separate definitions for the shoreline code (SMP). Redmond’s definition for d.b.h. is defined at 4.5 feet above average grade and also includes information on how to calculate multi-stem trees. The height of 4.5 feet is the same as Kirkland (DBH: The diameter or thickness of a tree trunk measured at 4.5 feet above the ground).</p> <p><u>Staff Response 4/5</u>: Staff has modified the code to include</p>	<p>Opened 3/1/2010</p> <p>Draft accepted 4/19/2010</p>

	to “the uphill side of the tree”. <u>CRC 4/19</u> : After further discussion, the Commission removed the “average grade” provision and retained the current code definition	an explanation of d.b.h. to the code and modified the definition. Staff is recommending not to change the definition of d.b.h, see Attachment: Change in Definition	
A.3. Explicit state that trees moved on site shall be counted as a saved tree. Applicable section: Raised by: Pantley	<u>CRC 3/1</u> : Commissioner Pantley requested that the code explicitly state that a significant tree that is moved to another location on the property still count as a saved tree. <u>CRC 3/22</u> : Commissioner Pantley requested that the code state that a significant tree that is moved to another location on the property still count as a saved tree. Additionally, that there be no requirement for a replacement tree for the tree that is moved to another property and that there be no recording on the title of the receiving property that this is a saved tree. The Commission understands that without a requirement to preserve the saved tree that it might be lost should the receiving property owner changes their mind and the Commission agreed that this was acceptable. <u>CRC 4/19</u> : The Commission accepted the proposed code as prepared by staff.	<u>Staff Response 3/15</u> : The code provides that replacement trees are not required for trees that are relocated. This is found in Section 080 Tree Replacement of the proposed code. <u>Staff Response 4/5</u> : Staff has modified the code under Section 080(7) to explicitly allow for the relocation of trees.	Opened 3/1/2010 Draft accepted 4/19/2010
B. Noise Standards			
B.1. Can the list of designated areas be expanded where excessive noise is	<u>CRC 3/15</u> : Did the implementation ordinance restrict what could be designated?		Opened 3/15/2010

<p>prohibited?</p> <p>Applicable section: 040(3)(f)</p> <p>Raised by: Chandorkar</p>	<p><u>CRC 3/22</u>: Commissioner Nolen offered language stating "...to achieve the objectives of this chapter" to this code section. The CRC agreed to the proposed changes.</p> <p><u>CRC 4/19</u>: The Commission accepted the proposed code as prepared by staff.</p>	<p><u>Staff Response 3/22</u>: The implementation ordinance did not restrict the locations that could be identified as a "designated area". Staff suggests that to provide clarity, that the word "designated" be deleted and that it be replaced with "such". The section would then read: The creation of unnecessary or unusually loud noises within the vicinity of a school, hospital, nursing home, court of law, or other designated <u>such</u> areas where quiet is necessary.</p> <p><u>Staff Response 4/5</u>: Staff has modified the language as proposed by the CRC.</p>	<p>Draft accepted 4/19/2010</p>
<p>B.2. Where and when can residential generators be used and still fall under the code exemption?</p> <p>Applicable section: 050(1)(l)</p> <p>Raised by: Pantley and Fitzmaurice</p>	<p><u>CRC 3/15</u>: Concern was expressed that residents within townhomes in the downtown may not be allowed to have emergency generators in times of emergency. The CRC asked what constitutes an "emergency" that would allow a person to run a generator.</p> <p><u>CRC 3/22</u>: Members of the CRC were concerned when generators could be operated. Language was suggested that modified the existing code that all members of the CRC agreed solved their concern.</p> <p><u>CRC 4/19</u>: The Commission accepted the proposed code as prepared by staff.</p>	<p><u>Staff Response 3/22</u>: The exception is for residential land uses and not residential zones. Therefore, a person who lives in a downtown townhome may run a generator during an emergency and still fall under this exemption provision of the code. A power outage, regardless of the length of the outage or the outdoor temperature, is considered an emergency and residential generators may be operated under this exemption.</p> <p><u>Staff Response 4/5</u>: Staff has modified the language as proposed by the CRC.</p>	<p>Opened 3/15/2010</p> <p>Draft accepted 4/19/2010</p>

<p>B.3. What constitutes a noise wall and do we have a policy that they should be avoided?</p> <p>Applicable section: 060(3)</p> <p>Raised by: Pantley</p> <p> </p> <p> </p>	<p><u>CRC 3/15:</u> Staff is proposing to change “should” to “shall” in this section of the code. The CRC is concerned that this may result in the loss of developable land (use of berms) when noise walls might be used. The Commission also asked about the term “blank wall”.</p> <p><u>CRC 3/22:</u> The CRC stated that the code should include noise attenuating fences, blank walls are to be avoided, and that noise walls over 8-feet in height shall be avoided unless all other mitigation measures are determined infeasible and impractical.</p> <p><u>CRC 4/19:</u> The Commission accepted the proposed code as prepared by staff.</p>	<p><u>Staff Response 3/22:</u> The code expresses a list of options for addressing noise attenuation (Measures that reduce noise at the site, such as building location, design, berms, and barriers, to help mitigate outside noise exposure should <u>shall</u> be used whenever practical in preference to measures which only protect interior spaces.) Berms are not the only method and are not required to be used. The code expresses the City’s intent that noise walls are less desirable to the other expressed options. Staff proposes to remove the word “blank” to offer clarity (Noise walls, such as blank walls along the site perimeter, should <u>shall</u> be avoided and shall only be considered after all other mitigation measures are determined infeasible and impractical.)</p> <p><u>Staff Response 4/5:</u> Staff has modified the code as proposed by the CRC</p>	<p>Opened 3/15/2010</p> <p>Draft accepted 4/19/2010</p>
<p align="center">C. Critical Areas</p>			
<p>C.1. Why is the Buffer Width Variance being removed?</p> <p>Applicable section: 20D.140.10-170</p>	<p><u>CRC 3/22:</u> Members of the CRC were concerned that Buffer Width Variance was a needed tool for developers and should be retained. Concern was expressed that the Reasonable Use process involved the Hearing Examiner while this process was administrative and should be retained.</p>	<p><u>Staff Response 3/22:</u> When questioned, staff responded that the Buffer Width Variance was processed administratively and did not require a public hearing.</p>	<p>Opened 3/22/2010</p> <p>Draft accepted 4/19/2010</p>

<p>Raised by: McCormick</p>	<p><u>CRC 4/19</u>: The Commission agreed that this section of code was duplicative and chose to remove it from the code.</p>	<p><u>Staff Response 4/5</u>: Staff's response on 3/22 was incorrect in that a Buffer Width Variance does require a public hearing and must come before the Hearing Examiner. Staff stands by its earlier recommendation that this section (Buffer Width Variance) is redundant as an applicant can go through the Reasonable Use Exception process.</p>	
<p>C.2. Why are the Reasonable Use Exception decision criteria for private property and public projects being removed?</p> <p>Applicable section: 10-190 and 10-200</p> <p>Raised by: Pantley</p>	<p><u>CRC 3/22</u>: Commission Pantley expressed concern that the decision criteria were being removed from the code. Commissioner Pantley was concerned that nothing be lost when the criteria is transferred to the Procedures section of the code.</p> <p><u>CRC 4/19</u>: The Commission accepted the proposed code as prepared by staff in the 4/19 memo and as modified by comments submitted by Steve Nolen.</p>	<p><u>Staff Response 3/22</u>: Staff responded that the decision criteria as moved to the Procedures section of the code.</p> <p><u>Staff Response 4/5</u>: Staff has included an attachment that contains the Reasonable Use decision criteria language from the Procedures section</p>	<p>Opened 3/22/2010</p> <p>Draft accepted 4/19/2010</p>
<p>C.3. Request from the CRC to have Buffer Averaging in the code.</p> <p>Applicable section: NA</p> <p>Raised by : Pantley</p>	<p><u>CRC 3/22</u>: Commission requested that buffer averaging be allowed in the proposed code.</p> <p><u>CRC 4/19</u>: Issue noted.</p>	<p><u>Staff Response 4/5</u>: Buffer averaging is currently allowed for streams (RCDG 20D.140.20-020(6)) and for wetlands (RCDG 20D.140.30-020(6)). These provision remain in the proposed code and have not been removed (See Section 20-020(7) and Section 30-020(6)).</p>	<p>Opened 3/22/2010</p> <p>Draft accepted 4/19/2010</p>

D. Public Comment		
Individual	Summary of Testimony	Action by CRC and/or Staff
D.1 Public Testimony by Larry Martin	Proposed language to the Tree Replacement code that would exempt projects in designated urban centers from existing requirements to replace trees removed in order to construct or improve facilities that would be used by the public. These would be things such as: parks, plazas, required street connections, art installations, or transit facilities. Additionally, Mr. Martin requested that the CRC modify the code language that stated that replacement trees were to be “primarily native species.”	The CRC discussed these two proposals during their discussion of the Tree Retention code at the April 19, 2010 meeting. No changes to the proposed code resulted from this testimony.
D.2 Email from Brian Gregory	Mr. Gregory expressed concern about the proposed changes to the Critical Areas Code. Specifically, Mr. Gregory is working with a subdivision application that is currently under review and his concerns revolved around how any proposed changes to the Critical Areas Code might impact his application.	Staff presented Mr. Gregory’s email to the CRC along with the email response from staff explaining that an application currently under review is vested under the current code and any proposed changes are not applicable to his application. No changes to the proposed code resulted from this testimony.
D.3 Email from Leonard Fuller	Mr. Leonard Fuller raised several issues in his email. Concerning shorelines, Mr. Fuller stated that property owners who make improvements to their home or property that exceed 50 percent of the value of their property that they would be required to install a native plant green belt. An additional concern was that allowing a home to be built twenty feet from the ordinary high mark was to close to the shoreline. Regarding landscaping, Mr. Fuller expressed opposition to requirements that fifty percent of the front yard be planted in native plant material located in the neighborhood standards for North Redmond. Regarding tree replacement, Mr. Fuller was opposed to the size requirement for replacement trees. His suggestion was that we should allow for smaller trees that that would acclimate better to their new environment.	Staff presented Mr. Fuller’s email to the CRC along with a copy of the email response from staff. No changes to the proposed code resulted from this testimony.